

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

OP.No. 18964 of 1998(G)

PETITIONER:

**P.R.NALINI AMMA, RETIRED HEADMISTRESS,
M.I.L.P. SCHOOL, ERNAKULAM, RESIDING AT
VADAKKUMMANA DEVI VILASOM,
MANJUMMAL P.O.**

**BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SRI.V.VARGHESE**

RESPONDENTS:

- 1. STATE OF KERALA, REP.BY
THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT,
SECRETARIATE, THIRUVANANTHAPURAM.**
- 2. DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.**
- 3. DEPUTY DIRECTOR OF EDUCATION,
ERNAKULAM, KAKKANAD, KOCHI 30.**
- 4. ASSISTANT EDUCATIONAL OFFICER,
ERNAKULAM**

BY GOVERNMENT PLEADER SMT.N.SUDHADEVI

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

OP. NO.18964/1998

ORDER ON CMP. NO.33417/1998 IN OP. NO.18964/1998

DISMISSED

29.10.2007

SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REPORT ON THE SPECIAL AUDIT OF ACCOUNTS OF M.I.L.P SCHOOL, ERNAKULAM.

EXT.P2:- COPY OF THE REPLY TO THE OBJECTIONS RAISED IN THE AUDIT REPORT, SUBMITTED BY THE PETITIONER.

EXT.P3:- COPY OF THE ORDER NO.OA3-42698/87 DT. 31.5.90 OF THE 3RD RESPONDENT.

EXT.P4:- COPY OF THE ORDER NO.OA3-42698/87 DT. 18.7.91 OF THE 3RD RESPONDENT.

EXT.P5:- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

EXT.P6:- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE GOVERNMENT DT. 15.2.92.

EXT.P7:- COPY OF THE JUDGMENT OF THIS HONOURABLE COURT IN OP. 4078/92.

EXT.P8:- COPY OF THE HEARING NOTES SUBMITTED BY THE PETITIONER BEFORE GOVERNMENT.

EXT.P9:- COPY OF THE G.O.(RT) NO.2457/98/GE DT. 24.6.98.

/TRUE COPY/

P.A. TO JUDGE

tss

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.18964 OF 1998

Dated this the 29th day of October, 2007

JUDGMENT

Read order dated 20.6.2007 (to be appended to this judgment). No further material is placed on record in support of the vague plea in para 5 of the counter affidavit, which has been notice by me in the aforesaid order. I do not find any ground to refuse relief to the petitioner, who retired in 1987.

In the result, Exts.P3, P4 and P9 are quashed to the extent it imposes liabilities on the petitioner and it is declared that there is no liability outstanding to the Government from the petitioner. It is further ordered that NLC shall be issued in terms of this declaration and all withheld amounts due towards DCRG will be released with interest at the rate of 6% per annum, from 1.7.1990 till the date of disbursement. The respondents are directed to disburse all such amounts within an outer limit of two months from the date of receipt of a copy of this judgment. The writ petition is allowed as above. No costs.

Sd/-

**THOTTATHIL B.RADHAKRISHNAN,
Judge**

k kb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.18964 OF 1998

JUDGMENT

29th OCTOBER, 2007.

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